IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH

WRIT PETITION 1136 OF 2001

PETITIONER : Smt.Ranu Trivedi
wife of Sanjay Shukla
Occupation-Service,
presently posted as _____
in Guru Ghasidas University,
Bilaspur (C.G)

VERSUS

RESPONDENTS : 1. Bilaspur Development-
Authority, through its
Chief Executive Officer,
Vyapar Vihar Bilaspur

2. Estate Officer, Bilaspur-
Development Authority.

PETITION IN THE ARTICLE 226/277 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No.438/2001

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	19.10.2001 Heard Shri Manindra Shrivastava, learned counsel for the petitioner. Heard also Shri M.D.Sharma, learned counsel for the respondent No.1 - Bilaspur Development Authority. Shri P.Diwakar, learned counsel for the interveners for other allottees. Heard also Shri K.L.Pandey, learned counsel for one of the allottees. The Houses which have been allotted are of mainly three grades namely; MIG, MIG-1 and MIG-2. This morning Shri M.D.Sharma states that as discussed yesterday he has verified that one MIG-2 Deluxe also is ready for allotment. This issue arose yesterday when we tried to accommodate the petitioner and that is how I had personally requested Shri M.D.Sharma to find out the possibility of allotting this house to the petitioner, if the petitioner was willing to pay higher price for it. It appears the petitioner is likely to pay an extra sum of say about Rs.80,000/-. Shri Manindra Shrivastava, learned counsel for the petitioner on instructions from his client states	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No.438/2001
मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

(Contd. order dated 19.10.2001)

-: 2 :-

at the bar now that the petitioner is willing and ready to pay higher price. There is no dispute as regards houses of the categories of MIG and MIG-1 and also other categories except as regards MIG-2 as stated above. Infact, it was mooted yesterday that if the matter could not be finally decided atleast the interim order issued on 4.4.2001 should be modified to exclude wholly the categories of MIG and MIG-1.

After hearing the learned counsel representing the parties, this writ petition is disposed of as follows:-

In order to resolve the present dispute regarding the claim of the writ petitioner as to her entitlement to get one house of MIG-2 category, since it has now been clarified at the bar that one MIG-2 Deluxe house is available, though at higher cost, since the petitioner is ready and willing to pay the higher cost, I direct that this house be allotted to the writ petitioner in the peculiar facts and circumstances of the case and in order to resolve this dispute once and for all.

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

(Contd. order dated 19.10.2001)

-: 3 :-

Shri Manindra Shrivastava submits that the petitioner may be allowed some easier terms of payment inasmuch as she is not able to pay the whole amount at one go. I think this aspect of the matter will be considered by the Competent Authority in terms of rules prescribed in this regard.

It is stated at the bar that normally instalments are allowed and if such payment of instalment is the normal way in such a situation, the petitioner be also dealt with accordingly.

In order to resolve the entire matter at the earliest, it is ~~hold~~ releasing that the Bilaspur Development Authority would now proceed with the allotment expeditiously. It is expressed at the bar that the allottees would like to celebrate the festival of lights "Diwali" in their new houses. Let the concerned authority do its best that the desires of the allottees are fulfilled.

Certified copy as per rules.

Sd/-
Chief Justice

ss/-